

1 **CITY COUNCIL OF THE CITY OF ANNAPOLIS**

2
3 **ORDINANCE NO. O-8-02**

4
5 **Introduced by Mayor Moyer**
6 **Alderman Hammond**
7 **Alderman Carter**
8 **Alderman Fox**
9

10
11 **AN ORDINANCE** concerning

12 **Chesapeake Marine Tours - Lease Amendment**

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15 **FOR** the purpose of authorizing a one-year extension of an existing lease of certain
16 municipal property located at the City Dock to Chesapeake Marine Tours, Inc. for
17 the purpose of docking and mooring certain boats at the City Dock; and all matters
18 relating to said amendment to lease.

19 * * * * *

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21
22 **WHEREAS,** pursuant to Ordinance O-84-94, the City of Annapolis and Chesapeake
23 Marine Tours, Inc. entered into a lease dated November 15, 1994, for certain
24 docking space at the City Dock for an original term of five years beginning
25 April 1, 1995 and terminating March 31, 2000 and a renewal term of five
26 years beginning April 1, 2000 and terminating March 31, 2005 at specified
27 rental and under certain terms and conditions; and

28
29 **WHEREAS,** pursuant to Ordinance O-51-99, the City of Annapolis and Chesapeake
30 Marine Tours, Inc. entered into an Amendment to Lease extending the term
31 of the lease through June 30, 2006, amending the rental provisions and
32 amending the list of Lessee's vessels; and

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34 **WHEREAS,** pursuant to Ordinance O-10-01, the City of Annapolis and Chesapeake
35 Marine Tours, Inc. entered into an Amendment to Lease extending the term
36 of the lease through June 30, 2007; and

37
38 **WHEREAS,** the parties are agreeable to extending the term of that lease, as amended,
39 and to setting forth the proposed new terms in an amendment thereto; and

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41 **WHEREAS,** the City Council believes that acceptance of this proposal will be in the best
42 interest of and will be a benefit to the City; and
43

1 **WHEREAS**, Article III, Section 8 of the Charter of the City of Annapolis requires the
2 passage of an ordinance to authorize said lease and by implication, any
3 amendment to a previously adopted lease.
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5 **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY**
6 **COUNCIL** that the proposed Amendment to Lease, a copy of which is attached hereto and
7 made a part hereof, between the City of Annapolis and Chesapeake Marine Tours, Inc.
8 d/b/a Watermark Cruises, is hereby approved, and the Mayor is hereby authorized to
9 execute the Amendment to Lease on behalf of the City. It is further expressly found by the
10 City Council that the services to be provided as a result of the lease will benefit visitors
11 and residents of the City, will generate tax revenues and additional rental income to the
12 City, and will generally further the public need and purposes to which the property is
13 devoted.
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15 **SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE**
16 **ANNAPOLIS CITY COUNCIL** that this Ordinance shall take effect from the date of its
17 passage.
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20 **ADOPTED** this 8th day of April, 2002.
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22
23 **ATTEST:**
24

THE ANNAPOLIS CITY COUNCIL

25
26 _____
27 Deborah Heinbuch, CMC/AEE
28 City Clerk
29

BY: _____
ELLEN O. MOYER, MAYOR

AMENDMENT TO LEASE

THIS AMENDMENT, dated _____ of _____, 2002, by and between the CITY OF ANNAPOLIS, a Maryland municipal corporation, Lessor, and CHESAPEAKE MARINE TOURS, INC., a Maryland municipal corporation, d/b/a Watermark Cruises, Lessee.

WITNESSETH

- A. The parties have heretofore entered into a succession of leases beginning in 1972 for Lessee to dock its vessels and carry on its business at City Dock.
- B. The lease currently in effect is dated November 15, 1994, (hereinafter called "the Lease") and was renewed by two Amendments to Lease, dated February 17, 2000 and June 6, 2001, in effect through June 30, 2007.
- C. By this amendment the parties intend to amend a portion of the terms of the existing Lease as amended by providing for a one-year extension of the term.
- D. Lessor has approved this amendment pursuant to Ordinance No. O-8-02.

NOW THEREFORE, in consideration of the rent reserved and the various agreements and covenants of the parties, they do agree as follows:

- 1. Paragraph 2 of the Lease as amended, titled Term is hereby amended by adding a fourth sentence to read:
"At the end of its current term, the term of this Lease as amended, shall renew and be extended for a period of one year, commencing July 1, 2007 and terminating June 30, 2008."
- 2. As specifically amended above, the parties intend that the Lease as amended remain in full force and effect and by these presents they do hereby ratify and affirm same.

ATTEST:

LESSOR:
CITY OF ANNAPOLIS

City Clerk

By: _____
Ellen O. Moyer, Mayor

ATTEST:

LESSEE:
CHESAPEAKE MARINE TOURS, INC.

Debbie H. Gosselin, President

Approved as to form and legal sufficiency this _____ day of _____, _____.

Paul Garvey Goetzke, City Attorney